

PLANNING BOARD MINUTES

Regular Meeting – Thursday, February 10th, 2022 – 1 PM

1. **Attendance:** With six members being present at the onset of the meeting, a quorum was established.
Members present: John Beck, John Hollenback, Bill Pierce, Randy Mannix, Justin Williams, Rick Hirsch

Members absent: John Wagner, Earl Hall, Tracey Manley

Staff: Amanda Cooley, Ann O'Toole

Public: Mike Stenberg, Sarah Friederichs

Meeting called to order at 1:01p.m.

2. **Approval of Agenda:** The date for the approval of minutes (December 9th) was incorrect. A motion to approve agenda with the correction of the date (January 6th) of the previous meeting's minutes was made by Mr. Manley. Seconded by Mr. Beck. Approved with unanimous consent.
3. **Approval of Minutes:**
 - a. January 6th minutes: A correction was made under the Staff Update section correcting the name of the road to County Road #9. A motion was made to approve the minutes with this correction by Vice President Pierce. Seconded by Member Williams. Approved with unanimous consent.

4. **Non-Public Hearings**

- a. **Platt/RCCC Amended Plat**

Director Cooley presented the request by Karen Anne Platt and Rock Creek Cattle Company to amend a plat for Phase 2 of the RCCC Planned Unit Development. The petitioners request to amend lots 44, 45, 46A, and a portion of the common area 19A to create a single parcel consisting of 2.17 acres. The parcels are located in Section 3, T8N R10W. Ms. Cooley affirmed that the aggregation conforms to the guidelines set forth in the Powell County Subdivision Regulations. She recommended approval of the request based upon conditions listed in the staff report.

Member Williams questioned whether the lots being aggregated would be relocated elsewhere. Mr. Stenberg responded that it was possible this may occur. Some discussion occurred about the reason the aggregation is presented before the Planning Board. With no further inquiries, Member Beck motioned to approve the request with the conditions stipulated by the planning staff. Member Mannix seconded the motion. The Board approved the application with a vote of 6-0.

- b. **Williams/RCCC Amended Plat**

Director Cooley presented the request by Chris Williams and RCCC to amend a plat in Phase 2 East of the RCCC PUD. The petitioner requests to adjust the existing boundary into the remainder parcel of Section 11, T8N R10W. The proposed action increases Lot 74A from 4.13 acres to 7.69 acres. Ms. Cooley affirmed that the aggregation conforms to the guidelines set forth in the Powell County Subdivision Regulations. She recommended approval of the request based upon conditions listed in the staff report. Mr. Stenberg notes that the action allows the landowner an elevated area to construct their home so they have a better view.

Member Mannix questioned whether each home had a separate septic and well. Mr. Stenberg responded that many do have separate systems but some are shared depending on the size of the

lot, topography, and sometimes other factors. With no further inquiries, Vice-President Pierce motioned to approved the request with the conditions stipulated by the planning staff. Member Mannix Seconded the motion. The Board approved the application with a vote of 6-0.

5. Public Hearings

a) RCCC Laundry Facility Conditional Use Permit

President Hirsch opened the public hearing. He noted that the hearing had been noticed twice in the Silver State Post in the January 25th and February 2nd editions. Director Cooley was invited to provide her report.

The petitioner, Mike Stenberg, on behalf of RCCC, requests permission to construct a stand-alone laundry facility within the RCCC PUD. The purpose of the new structure is to provide a new and expanded laundry facility for use by RCCC club operations. The current facility located in the Cattleman's Club has exceeded its capacity. The existing facility will be relocated to this new location.

Member Pierce questioned whether the building would be built to state building codes. Mr. Stenberg responded that he believes so, but that the architect would handle this with the builder. President Hirsch inquired about the greywater septic system that is to be installed. Mr. Stenberg explained to the board how this type of system works. Mr. Hirsch also questioned the wording used by RCCC that the area is not a critical wildlife habitat, arguing that indeed, the area is an important area for elk. He expressed concern that the area could become a feeding operation. Mr. Stenberg assured the board that the cows in the population are harvested and that there is no desire to create a feeding operation now or in the future. Mr. Beck questioned whether elk are eased away from the golf course. Mr. Stenberg informed the board that the course is aerated and the plugs left from the aeration deter the elk from grazing. It has been an effective management tool to keep elk off the course.

With no comments from the public prior to the meeting or at the meeting, the public hearing was closed. Member Pierce motioned to approve the Conditional Use Permit with the conditions stipulated by the planning staff. Member Williams seconded the motion and the motion was passed 6-0.

b) RCCC Cart Barn Conditional Use Permit

President Hirsch opened the public hearing. He noted that the hearing had been noticed twice in the Silver State Post in the January 25th and February 2nd editions. Director Cooley was invited to provide her report.

The petitioner, Mike Stenberg, on behalf of RCCC, requests permission to construct a cart barn within the RCCC PUD. The purpose of the new structure is to store and maintain golf carts associated with the RCCC golf course. The structure will be located on Willow Creek Road near the existing golf shop. Mr. Stenberg stated that RCCC is growing and they are in need of better storage for the golf carts.

The Planning Board did not have any comments or questions about the application.

With no comments from the public prior to the meeting or at the meeting, the public hearing was closed. Member Williams motioned to approve the Conditional Use Permit with the conditions stipulated by the planning staff. Member Pierce seconded the motion and the motion was passed 6-0.

c) RCCC Phase 3A Subdivision

President Hirsch opened the public hearing. He noted that the hearing had been noticed twice in the Silver State Post in the January 25th and February 2nd editions. Director Cooley was invited to provide her report.

Sarah Frederichs and Mike Stenberg, on behalf of RCCC, request permission to subdivide approximately 37 acres of RCCC property within the Rock Creek PUD; this will be Phase 3A. The division will result in eight residential lots with two common areas. With the proposed amendments to this PUD, Phase 3A will still meet the density set-aside requirements for the PUD. The total set-aside area to date is 6,348.41 acres and the total set-aside needed is 6,258.73 acres. This will leave an area credit of 89.68 acres after Phase 3A is created.

Member Hollenback questioned how common it is for the lot to be sold and immediately developed. Mr. Stenberg responded that only about 25% of lots are building when they purchase the lot. Mr. Pierce questioned whether the common areas could be annexed by adjacent property owners in the future. Mr. Stenberg stated that in this case, due to the nature of the site, this would not be possible. It was also questioned what the drainage easements were on the plat. Mr. Stenberg explained that they are natural features in the topography that are left alone to hold storm water. It is a requirement by DEQ and the easements are filed with the Clerk and Recorder.

With no further inquiries, no comments from the public prior to the meeting, and no comments from the public at the meeting, Mr. Hirsch closed the public hearing. Member Beck motioned to approve the preliminary plat with a favorable recommendation to the County Commissioners, contingent upon the conditions stipulated by the planning staff. Member Pierce seconded the motion and the motion was passed 6-0.

d) RCCC Phase 6A Subdivision

President Hirsch opened the public hearing. He noted that the hearing had been noticed twice in the Silver State Post in the January 25th and February 2nd editions. Director Cooley was invited to provide her report.

Sarah Frederichs and Mike Stenberg, on behalf of RCCC, request permission to develop a Phase 6A within the Rock Creek PUD. It will consist of one 40.35-acre lot that will be accessed via a driveway off of N Bighorn Road. Mr. Stenberg added that the reason this plat is not in Phase 6 is due to specific easements on the property. There is an easement that will connect N Bighorn Road to Old Stagecoach Road. There is also an easement to get to an irrigation head-gate. These are specific to this plat or phase.

Member Pierce questioned item 12 of the application checklist, where the petitioner's response to the question was "any existing water right associated with the property will not convey." Mr. Stenberg explained the RCCC holds surface water rights and decides water rights on an individual basis.

With no further inquiries, no comments from the public prior to the meeting, and no comments from the public at the meeting, Mr. Hirsch closed the public hearing. Member Pierce motioned to approve the preliminary plat with a favorable recommendation to the County Commissioners, contingent upon the conditions stipulated by the planning staff. Member Hirsch seconded the motion and the motion was passed 6-0.

6. Continued Business

- a. None

7. Planning Board Comments: Vice President Pierce inquired about developers following state building codes, including wildland-urban interface code. There is a question of whether our development applications can address this as a requirement.

8. Staff Updates

- a. **County Attorney:** Attorney McEnery updated the board on the proceedings with Hogan.

- b. **Planning Staff:** Planning Staff updated the Planning Board on the Old Yellowstone Trail Phase II bid progress and the developments with the Milwaukee Roundhouse Property.
- c. **Other**

9. Public Comments

10. Announcement of the March 10th Meeting

- 11. Adjourn:** Mr. Hollenbeck moved to adjourn the meeting at 3:23p.m. Mr. Beck seconded the motion.
Approved with unanimous consent.

Respectfully Submitted,
Amanda Cooley
Powell County Planning Director

President Rick Hirsch

Date

**The Planning Board will meet at the William K. Kohrs Memorial Library
501 Missouri Ave., Deer Lodge, MT 59722
For Further Information, Contact:
The Powell County Planning Department**